

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 11-112 SI

Plaintiff,

**ORDER SETTING BRIEFING SCHEDULE  
FOR DISCOVERY REQUEST**

v.

YOHANNES GEBREZGIE,


Defendant.

On June 6, 2012, defendant Yohannes Gebrezgie filed a "Motion to Request Subpoena for Electronically Stored Information Pursuant to Fed. R. Civ. P. 34(a)." *See* Dkt. 21. Defendant seeks phone records related to an April 26, 2012 phone call between him and his attorney, Geoffrey Hanson of the Federal Public Defenders Office in San Francisco. Defendant argues that he needs the information in preparation for a forthcoming habeas petition pursuant to 28 U.S.C. § 2255. Rule 6 of the Rules Governing Section 2255 Cases allows a judge to authorize a petitioner to seek discovery pursuant to the Federal Rules of Civil Procedure for "good cause" shown.

The government has not yet responded to defendant's request. If the government seeks to oppose the discovery request, it must do so by **July 6, 2012**. Defendant may then file a reply by **July 13, 2012**.

**IT IS SO ORDERED.**

DATED: June 18, 2012

  
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SUSAN ILLSTON  
United States District Judge